

Examination by the Bureau of Chemistry of this department of 50 sacks from the shipment of August 15 showed an average net weight of 97.39 pounds.

Misbranding of the articles was alleged in substance in the information for the reason that the statements, to wit, "Guaranteed Analysis Ammonia 8.37% Protein 43.00% * * * Nitrogen 6.88% Fibre 10.00%" and "100 Lbs. Net," borne on the tags attached to the sacks containing the product shipped August 15, 1924, and the statements, "43% Protein Cotton Seed Meal * * * Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent * * * Crude Fiber not more than 12.00 Per cent" and "100 Pounds (Net)," borne on the labeling of the remaining shipment, were false and misleading, in that the said statements represented that the article contained ammonia, protein, nitrogen, and fiber, in the percentages declared on the labels, and that the sacks in the shipment of August 15 contained 100 pounds of the said article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained the said ingredients in the percentages declared on the labels, and that the sacks contained 100 pounds of the article, whereas the article did not contain the said ingredients in the percentages declared in that the product consigned August 15, 1924, contained 7.64 per cent of ammonia, approximately 39.26 per cent of protein, 6.29 per cent of nitrogen, and approximately 14.55 per cent of fiber, and the product consigned August 19, 1924, contained approximately 38.53 per cent of crude protein and approximately 13.92 per cent of crude fiber, and the sacks in the shipment of August 15 did not contain 100 pounds net of the article but did contain a less amount.

Misbranding was alleged with respect to the product shipped August 15 for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 23, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

14190. Misbranding of meat scraps. U. S. v. 82 Sacks of Meat Scraps. Decree finding product misbranded and ordering its release. (F. & D. No. 20768. I. S. No. 9582-x. S. No. W-1843.)

On January 15, 1926, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 82 sacks of meat scraps, remaining in the original unbroken packages at Ogden, Utah, alleging that the article had been shipped by the Colorado Animal By-Products Co., from Denver, Colo., on or about September 25, 1925, and transported from the State of Colorado into the State of Utah, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Golden Brand Meat Straps, Protein 50 per cent."

Misbranding of the article was alleged in the libel for the reason that the statement "Protein 50 per cent," borne on the label, was false and misleading and deceived and misled the purchaser, in that the product was deficient in protein.

On February 15, 1926, the Colorado Animal By-Products Co., Denver, Colo., having appeared as claimant for the property and having admitted the allegations of the libel, an order was entered, providing for release of the product, the product to be relabeled under the supervision of this department upon the execution of a bond in the sum of \$500, in conformity with section 10 of the act. On April 1, 1926, the claimant having paid the costs of the proceedings and the product having been relabeled to show the correct protein content, a decree was entered by the court, adjudging the product to be misbranded and ordering that it be released from the operation of the libel and the bond exonerated.

C. F. MARVIN, *Acting Secretary of Agriculture.*

14191. Misbranding of Sirup of Ambrozoin. U. S. v. 23 Bottles of Sirup of Ambrozoin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20514. I. S. No. 1225-x. S. No. C-4839.)

On October 20, 1925, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the

seizure and condemnation of 23 bottles of Sirup of Ambrozoin, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the American Apothecaries Co., from Astoria, N. Y., on or about June 9, 1925, and transported from the State of New York into the State of Wisconsin, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle) "Bronchitis Laryngitis Asthma Whooping Cough Pulmonary Phthisis And Other Respiratory Affections In Which A Mild Sedative Or Expectorant Is Required * * * Allays Cough, Promotes Expectoration, Exerts A Soothing Influence On The Inflamed Mucous Membrane Of The Bronchial And Pulmonary Passages And Relieves Congestion Of The Respiratory Organs * * * Dose * * * Repeated * * * Until Cough Is Allayed And Respiratory Discomfort Is Overcome," (carton) "Bronchitis Laryngitis Asthma Whooping Cough Pulmonary Phthisis * * * And Other Respiratory Affections In Which A Mild Sedative Or Expectorant Is Required * * * Allays Cough Promotes Expectoration * * * Exerts A Soothing Influence On The Inflamed Mucous Membrane Of The Respiratory Passages."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of ammonium chloride, sodium and potassium bromides, small amounts of plant extracts, a trace of creosote, benzoic acid, alcohol, sugar and water.

Misbranding of the article was alleged in the libel for the reason that the above quoted statements, borne on the bottle and carton labels, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On February 9, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

14192. Adulteration and alleged misbranding of butter. U. S. v. 82 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20907. I. S. No. 5740-x. S. No. E-5384.)

On February 17, 1926, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 82 tubs of butter, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Iowa Falls Creamery Co., from Iowa Falls, Ia., February 4, 1925 (1926), and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article.

On February 27, 1926, the Iowa Falls Creamery Co., Iowa Falls, Iowa, having appeared as claimant for the property and having consented to the entry of a decree, judgment of the court was entered, finding the product adulterated and ordering its condemnation, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,300, conditioned in part that it not be sold or otherwise disposed of contrary to law. The decree provided further that the claimant be permitted to recondition and rework the butter under the supervision of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

14193. Adulteration of apples. U. S. v. 153 Boxes of Apples. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20936. S. No. E-5666.)

On or about March 18, 1926, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 153 boxes of apples, remaining in the original unbroken packages at Winchester, Va., alleging that the article had been shipped by the Glen Rosa Orchards, Inc., from Medford, Oreg., and transported from the State of Oregon into the State of Virginia, and charging adul-